

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BLUE HILLS OFFICE PARK LLC,)
Plaintiff/Defendant-in-Counterclaim)
)
v.) Civil Action No. 05-CV-10506 (WGY)
)
J.P. MORGAN CHASE BANK, as Trustee for the)
Registered Holders of Credit Suisse First)
Boston Mortgage Securities Corp., Commercial)
Mortgage Pass-Through Certificates, Series)
1999-C1,)
Defendant)
)
and CSFB 1999 – C1 ROYALL STREET, LLC,)
Defendant/Plaintiff-in-Counterclaim)
)
and)
)
WILLIAM LANGEIER and GERALD)
FINEBERG,)
Defendants-in-Counterclaim)
)

**AFFIDAVIT OF PETER B. McGLYNN IN SUPPORT OF BERNKOPF
GOODMAN LLP'S MOTION TO WITHDRAW ITS APPEARANCE
ON BEHALF OF WILLIAM LANGEIER**

Peter B. McGlynn on oath deposes and says as follows:

1. I am lead trial counsel in the above-captioned action for Blue Hills Office Park LLC, William Langelier and Gerald Fineberg. I am making this affidavit in support of Bernkopf Goodman LLP's Motion to Withdraw its Appearance as Counsel for William Langelier. I am making this affidavit based upon facts which are personally known by me. To the extent that any facts are based upon my information and belief, I believe them to be true.

2. Given the Court's comments from the bench on October 13, 2006 speculating on possible misconduct of Wilmer Cutler Pickering Hale and Dorr LLP and Bernkopf Goodman

LLP with respect to the Settlement Agreement dated August 8, 2003 (Trial Exhibit 24), William Langelier has placed Wilmer Hale and Bernkopf Goodman on notice of his intention to assert claims for legal malpractice against both firms. Mr. Langelier has also, upon information and belief, discharged Wilmer Hale as his personal counsel in Boston, Massachusetts and has retained as successor counsel Edward Barshak of the firm Sugarman Rogers Barshak and Cohen, P.C.

3. Additionally, upon information and belief, Gerald Fineberg claims entitlement to be indemnified by Mr. Langelier for his share of any losses, costs and fees pursuant to, *inter alia*, the Agreement dated December 31, 2004 (Trial Exhibit 26). Furthermore, upon information and belief, now that the Court has entered a Judgment against Blue Hills, Fineberg and Langelier, jointly and severally, disputes are likely to arise between Fineberg and Langelier regarding the nature and extent of their respective indemnity obligations *inter se*.

4. In light of the foregoing, I firmly believe that Bernkopf Goodman can no longer represent Mr. Langelier in the above-captioned action as the interests of this firm and those of Mr. Fineberg may be adverse to the interests of Mr. Langelier.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 21st DAY OF DECEMBER, 2006.

/s/ Peter B. McGlynn